

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

GINGER McSWEEN, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 10-00603-CG-M
)	
NEWMAR CORPORATION, et al.,)	
)	
Defendants.)	

ORDER

This matter is before the court on the report and recommendation of the magistrate judge (Doc. 84); the objection of the plaintiffs, Ginger and Larry McSween (“the McSweens”) to the report and recommendation (Doc. 86); and the response of the defendants, Dometic Corporation and Dometic, LLC (“Dometic”) to the McSweens’ objection (Doc. 90).

The magistrate judge recommended that the motions to dismiss filed by defendants, Newmar Corporation (“Newmar”) and Dometic (Docs. 73 and 74), be granted, and that Counts X and XI of the complaint be dismissed. See Doc. 84. The magistrate judge further recommended that all the substantive rights of the McSweens be determined by Florida’s substantive law. Id. Upon a de novo review of those portions of the report and recommendation to which the objection is made, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this court. The court therefore finds that the defendants’ Motions to Dismiss (Docs. 73 and 74) should be **GRANTED** and that

the substantive rights of the Plaintiffs in this action will be determined by the law of the State of Florida. It is **ORDERED** that Counts X and XI of the plaintiffs' complaint be and are hereby **DISMISSED**.

DONE and **ORDERED** this 25th day of October, 2011.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE